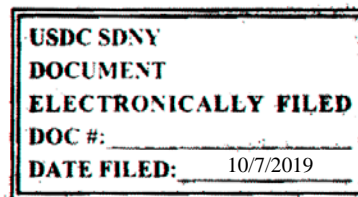


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**PHILLIES,**

**Plaintiff,**

**19-CV-07239 (VM)(SN)**

**-against-**

**INITIAL PRETRIAL  
CONFERENCE ORDER**

**HARRISON/ERICKSON, INC. et al,**

**Defendants.**

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**SARAH NETBURN, United States Magistrate Judge:**

On October 7, 2019, the Honorable Victor Marrero referred this case to my docket for general pretrial supervision. Accordingly, an Initial Pretrial Conference pursuant to Rule 16 is scheduled for Friday, October 18, 2019, at 11:30 a.m. in Courtroom 219, Thurgood Marshall Courthouse, 40 Foley Square, New York, New York.

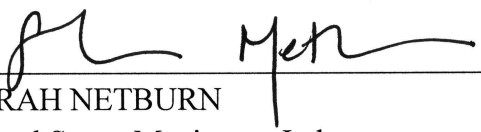
**Rule 16(a) Conference.** The Court intends to engage in a meaningful discussion in order to schedule an appropriate case management plan. The parties will be required to discuss at the conference the subjects set forth in Rule 16(b) and (c) of the Federal Rules of Civil Procedure. In particular, the parties should be prepared to address: (i) the scope of discovery as defined by Rule 26(b)(1) as amended; (ii) whether phased discovery – that is, focusing on sources that are easier and cheaper to produce before moving on to more difficult and expensive sources – is appropriate; (iii) whether the parties anticipate the need for a protocol concerning electronically stored information (ESI); (iv) whether a protective order is necessary or appropriate; and (v) whether issues related to the attorney-client privilege are likely to be material and if an order under Federal Rule of Evidence 502 is appropriate.

**Rule 26(f) Conference.** In advance of the Rule 16 conference, counsel for the parties are directed to confer to discuss the matters set forth in Rule 26(f) of the Federal Rules of Civil Procedure. In order to promote a just, speedy and inexpensive resolution of this case, the parties are further directed to read the Advisory Committee Notes from the 2015 Amendments to Rule 26. The parties shall comply with their Rule 26(a) initial disclosure obligations no later than 14 days after the parties' Rule 26(f) conference.

**Proposed Scheduling Order.** At least one week before the scheduled conference, the parties are directed to complete the Civil Case Management Plan and Scheduling Order, available at <http://nysd.uscourts.gov/judge/Netburn>, and e-mail it to Netburn\_NYSDChambers@nysd.uscourts.gov. Counsel who disagree about the dates or other terms of the proposed schedule, shall submit a joint letter briefly explaining the dispute.

**SO ORDERED.**

DATED:       October 7, 2019  
              New York, New York

  
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SARAH NETBURN  
United States Magistrate Judge